

Erik Michelsen  
Treasurer - Maryland Green Party  
P.O. Box 2230  
Annapolis, MD 21404  
(410) 990-9905  
erikmichelsen@hotmail.com

# Maryland Green Party

March 29, 2001

Michael Marinelli  
Office of General Counsel  
Federal Election Commission  
999 E Street N.W.  
Washington, DC 20463

AOR 2001-06

FEC ID No: C00358994

RE: Request for Advisory Opinion

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
APR 2 10 09 AM '01

Dear Mr. Marinelli:

This letter is in follow-up to our discussion on the afternoon of March 29, 2001 regarding a request for advisory opinion on "state committee" status for the Maryland Green Party. Please find enclosed letters from both the Greens/Green Party USA and the Association of State Green Parties affirming that the Maryland Green Party is the entity recognized by both national level groups as *the* Green Party in Maryland. Please contact me if you need any additional information.

Thank you very much for your assistance.

Sincerely,



Erik Michelsen  
Treasurer - Maryland Green Party

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
MAR 31 9 43 AM '01

<http://www.mdgreens.org>

Ecology • Justice • Democracy • Nonviolence



## **The Greens / Green Party USA**

P.O. Box 1134  
Lawrence, MA 01842  
978/682-4353 \* fax 978/682-4318  
gpusa@igc.org  
<http://www.greenparty.org>

Ecological Wisdom  
Social Justice  
Grassroots Democracy  
Non-Violence  
Respect for Diversity  
Feminism  
Community-Based Economics  
Decentralization  
Personal and Global Responsibility  
Future Focus

September 26, 2000

Michael Marinelli  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Dear Mr. Marinelli,

As Secretary of The Greens/Green Party USA, I verify that The Maryland Green Party, Eric Michelsen, Treasurer, is recognized by The Greens/Green Party USA as the state Green Party in Maryland.

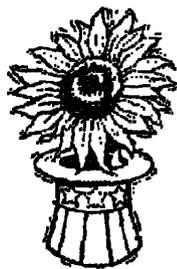
Please contact me if you have any questions.

Peace,

Starlene Rankin  
Secretary, G/GPUSA

Cc: Eric Michelsen, Treasurer, Maryland Green Party  
Howie Hawkins, Sarah Nelson, Dorothy Byrne,  
G/GPUSA Coordinating Committee members

NEVER RECEIVED BY  
OGC UNTIL 9-2-01



# ASGP

Association of State Green Parties

**CO-CHAIRS**

Anne Goeka  
*Green Party of Pennsylvania*  
Tom Sevigny  
*Green Party of Connecticut*  
Stephen Herrick  
*Green Party of Michigan*

**SECRETARY**

Greg Gerritt  
*Green Party of Rhode Island*

**TREASURER**

Robbie Franklin  
*Green Party of Texas*

Sept 23, 2000

NEVER RECEIVED BY  
DGC UNTIL 4-2-01

Michael Marinelli  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Dear Mr. Marinelli,

The Association of State Green Parties recognizes the Maryland Green Party as THE Green Party within the State of Maryland. The Maryland Green Party had a delegation at the ASGP national nominating convention that took place in Denver, CO this past June, and in all other ways is the State Party in Maryland, including working with Green Parties from around the country on the Presidential campaign this year.

Sincerely,

Greg Gerritt  
Secretary, Association of State Green parties

**MEMBER PARTIES**

- Green Party of Arkansas
- Arizona Green Party
- Green Party of California
- Green Party of Colorado
- Green Party of Connecticut
- DC Statehood Green Party
- Green Party of Delaware
- Green Party of Florida
- Georgia Green Party
- Iowa Green Party
- Missouri Green Party
- Minnesota Green Party
- Green Party of Montana
- Green Party of New Jersey
- New Mexico Green Party
- Green Party of New York State
- Green Party of Ohio
- North Carolina Green Party
- Green Party of North Dakota
- Green Party of Oklahoma
- Green Party of Oregon
- Green Party of Pennsylvania
- Green Party of Rhode Island
- Green Party of Tennessee
- Green Party of Texas
- Green Party of Utah
- Green Party of Vermont
- Green Party of Virginia
- Green Party of Washington
- Green Party of Wisconsin
- Green Party of Wyoming

ASGP is a member of the  
Federacion de Partidos Verdes  
of the Americas (FPVA), and is  
also affiliated with the European  
Federation of Green Parties  
(EFGP).





FEDERAL ELECTION COMMISSION  
Washington, DC 20463

September 15, 2000

Erik Michelsen, Treasurer  
Maryland Green Party  
PO Box 2230  
Annapolis, MD 21404

Dear Mr. Michelsen:

This refers to your letter dated August 30, 2000, which requests advice concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act"), to the possible status of the Maryland Green Party ("the State Party") as a State Party committee.

As evidence of your possible status you submit various documents, including a copy of the State Party's constitution and bylaws of the State Party, a letter from the Maryland Board of Elections recognizing the Maryland Green Party as an official political party under Maryland Election law; a copy of the nomination certificate for Ralph Nader and Winona LaDuke as Green Party candidates for President and Vice-President; and a copy of the certificate of candidacy signed and filed by a Green Party candidate for U.S. Congress, David M. Gross, on August 7, 2000.

As you know, the Act authorizes the Commission to issue an advisory opinion in response to a "complete written request" from any person with respect to a specific transaction or activity by the requesting person. 2 U.S.C. §437f(a). Commission regulations explain that such a request "shall include a complete description of all facts relevant to the specific transaction or activity with respect to which the request is made." 11 CFR 112.1(c).

On September 12, Michael Marinelli, the Commission staff attorney assigned to your inquiry, contacted Mr. Mark Miller, identified in your request as State Party counsel, and explained that your inquiry requires a more complete description of the facts in order to proceed with an advisory opinion. Pursuant to that conversation, the State Party must provide the following clarification.

Your request bases its claim to State committee status on the Presidential candidacy of Mr. Nader and the Vice Presidential candidacy of Ms. LaDuke. Your request states that "the Maryland Green Party is not formally affiliated with either of the two national Green Party organizations, but both national Green Party organizations involved in the negotiations recognize the Maryland Green Party as the legitimate Green Party in Maryland, and no other committee or organization pretends to be the Green Party in Maryland." To clarify this claim please produce documentation from a national Green Party organization that recognizes the status of State Party as the legitimate Green Party in Maryland and supports its claim to State committee status. This recognition should be a letter or other document from a representative of a national Green Party organization.

Upon receiving your response to the foregoing request for additional information and documents, this office and the Commission will give further consideration to your inquiry in the advisory process. If there are any questions concerning the advisory opinion process or this letter, please contact Mr. Marinelli, at (202) 694-1650.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:



N. Bradley Litchfield  
Associate General Counsel

# Maryland Green Party

Erik Michelsen, Treasurer

P.O. Box 2230

Annapolis MD 21404

Office of General Counsel  
Federal Election Commission  
999 E Street N.W.  
Washington DC 20463

FEC ID No. C00358994  
RE: Request for Advisory Opinion

30 August 2000

Dear General Counsel, or To Whom It May Concern:

Based on advice the Maryland Green Party received in my recent discussions with FEC Reporter Analyst Thomas F. Maxwell III, and in discussions between FEC specialists and the Maryland Green Party's legal advisor, Mark Miller, I am submitting the following request for an advisory opinion.

The Maryland Green Party hereby requests an advisory opinion concerning the status of the Maryland Green Party as a State committee of the Green Party under the Federal Election Campaign Act of 1971 (as amended), relevant Federal Election Commission regulations, and past Advisory Opinions.

In support of our request for certification as a State committee of the Green Party, we are enclosing herewith the following documents:

- (1) Copy of the Constitution and Bylaws of the Maryland Green Party as filed with the Maryland State Board of Elections;
- (2) Letter from the Maryland Board of Elections recognizing the Maryland Green Party as an official political party under Maryland election law;
- (3) Copy of Certificate of Nominations of Ralph Nader and Winona LaDuke as Green Party candidates for President and Vice-President; and
- (4) Copy of Certificate of Candidacy signed and filed by Green Party Candidate for U.S. Congress David M. Gross (First District, Maryland) August 7, 2000.

The Maryland Green Party has obtained ballot access under Maryland law for its Presidential and Vice-Presidential candidates in 2000, Ralph Nader and Winona LaDuke, respectively. Delegates from the Maryland Green Party were duly credentialed and participated in the national Green Party 2000 presidential nominating convention in Denver, Colorado. The exact structure of the eventual national committee of the Green Party is the subject of negotiations and is evidently still evolving; the Maryland Green Party is not formally affiliated with either of the two national Green Party organizations, but both national Green Party organizations involved in the negotiations recognize the Maryland Green Party as the legitimate Green Party in Maryland, and no other committee or organization pretends to be the Green Party in Maryland.

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
AUG 31 2 53 PM '00

The enclosed "Constitution and Bylaws of the Maryland Green Party" sets forth the responsibility of the Maryland Green Party, through its Coordinating Council, for the day-to-day operation of the Green Party in Maryland. This document further details procedures for the selection of state and federal Green Party candidates in Maryland, the nomination of a presidential candidate, and the recognition of Local Green organizations. The Maryland Green Party includes among its purposes running candidates in state and local as well as federal elections.

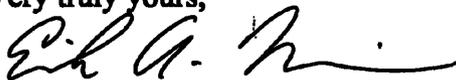
The Maryland Green Party has approved the nomination of Green Party congressional candidate David M. Gross in Maryland's first district and, working with the Dave Gross for Congress Committee [FEC Committee ID No. C00359943], has submitted petitions containing 4,202 signatures in support of ballot access for David M. Gross to the Maryland State Board of Elections.

The Maryland Green Party also maintains a website, <<http://www.mdgreens.org>>, which the Commission is welcome to visit, for further information.

If you need any supplementary or additional materials to help you make your determination, please let me know immediately so that we can supply you with them. If you have any questions, please feel free to call our legal advisor, Attorney Mark Miller, at 301-441-3298.

Thank you very much for your assistance and your attention.

Very truly yours,



Erik Michelsen, Treasurer

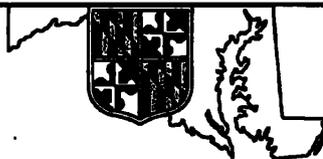
CC: Thomas F. Maxwell III  
John D. Gibson

MARYLAND

**STATE BOARD OF ELECTIONS**

P.O. BOX 6486, ANNAPOLIS, MARYLAND 21401-0486 PHONE: (410) 269-2840

Linda H. Lamone, Esq.  
*Administrator*



Ross Goldstein  
Terry Holliday  
*Candidacy and Campaign Finance*

Timothy G. Augustine  
*Deputy Administrator*

August 18, 2000

Mr. Bob S. Auerbach, Chairman  
Green Party  
22 Ridge Road  
Greenbelt, MD 20770

Dear Mr. Auerbach:

This is to inform you that the Green Party is now an established political party under Maryland law. In accordance with Article 33, Section 9-207, Annotated Code of Maryland, the State Board of Elections must certify the content and arrangement of the ballot to the local boards of elections. Accordingly, it is the State Board's intent to certify Ralph Nader and Winona LaDuke as Presidential and Vice Presidential candidates of the Green Party for the November 7, 2000 General Election Ballot in Maryland.

Should you need additional information, please do not hesitate to contact me.

Sincerely,

Donna J. Duncan  
Director of Election Management Division



# CERTIFICATE OF NOMINATIONS

STATE OF MARYLAND  
BOARD OF ELECTIONS

## State of Maryland

88 AUG 15 P 4:30

I DO HEREBY CERTIFY that at a National Convention of Delegates representing the state Green Parties of the United States, duly held and convened in Denver, Colorado, and hosted by the Association of State Green Parties, on June 24, 2000, the following person, meeting the constitutional requirements for the Office of President of the United States, and the following person, meeting the constitutional requirements for the Office of Vice President of the United States, were nominated for such offices to be filled at the ensuing general election, November 7, 2000, viz.:

TITLE OF OFFICE TO BE FILLED	NAME OF CANDIDATE	NAME OF PARTY	PLACE OF RESIDENCE OF CANDIDATE
President of the United States	RALPH NADER	Green	53 Hillside Road Winstead, CT; 06098
Vice President of the United States	WINONA LaDUKE	Green	31446 East Round Lake Road Ponsford, MN; 56575

IN TESTIMONY WHEREOF, I have set my hand this 14<sup>th</sup> day of August, 2000

Anne Goeke  
730 Hamilton  
Lancaster, PA  
17602

  
\_\_\_\_\_  
Co-Chair of the Steering Committee of the  
Association of State Green Parties

Anne Goeke, being duly sworn or having affirmed the facts above, says that she is the Co-Chair of the Steering Committee of the Association of State Green Parties, and that said certificate and the statements therein contained are true to the best of her information and belief.

Subscribed and sworn to or affirmed before me  
this 14<sup>th</sup> day of August, 2000.

  
\_\_\_\_\_  
Notary Public

Notarial Seal  
Suzanne M. Lutz, Notary Public  
Strasburg Boro, Lancaster County  
My Commission Expires Apr. 29, 2002

I DO HEREBY CERTIFY that, with regard to the presidential election to be held November 7, 2000, the nomination of Ralph Nader and Winona LaDuke for the respective offices of President and Vice President of the United States by a National Convention of Delegates representing state Green Parties of the United States was perfected upon acceptance and ratification by the membership and by the governing body of the Maryland Green Party, at a statewide Maryland Green Party Assembly duly convened and held in Howard County, Maryland, on August 13, 2000.

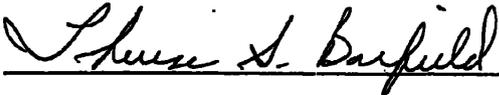
IN TESTIMONY WHEREOF, I have hereunto set my hand this 14 day of August, 2000.

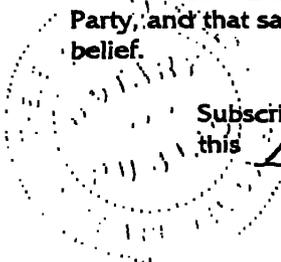
Bob Auerbach  
22 Ridge Road, #234  
Greenbelt, MD  
20770

  
\_\_\_\_\_  
Co-Chair of the Maryland Green Party

Bob Auerbach, having affirmed the facts above, says that he is the Co-Chair of the Maryland Green Party, and that said certificate and the statements therein contained are true to the best of his information and belief.

Subscribed and affirmed before me  
this 14<sup>th</sup> day of August, 2000.

  
\_\_\_\_\_  
Notary Public  
Commission expires 6-1-04



C 1101  
lw

**STATE OF MARYLAND**  
**2000 PRESIDENTIAL GENERAL ELECTION**  
**CERTIFICATE OF CANDIDACY FOR NOMINATION BY PETITION**

**OFFICE SOUGHT** Representative in U.S. Congress **DISTRICT** 1

I request that you place my name on the official ballot to be used in the 2000 Presidential General Election on November 7, 2000 as a candidate seeking nomination for the above mentioned office.

**NAME TO APPEAR ON BALLOT: (PRINT)** David M. Gross

If you have more than one given name, you may designate which given name or names you want to appear on the ballot and which name or names you want to appear by initial letter only. You must use at least one given name. The use of initials only is prohibited. (Article 33, Section 5-301(c)). The use of titles, degrees or other professional designations is also prohibited. (Article 33, Section 5-301(c))

I hereby declare:

- > The name listed above is my legally given name or a name supported by an affidavit filed at this time under penalty of perjury.
- > I am a registered voter of Anne Arundel County Election District or Ward 5 Precinct 18
- > Party Affiliation Green Date of Birth 01/28/1971 Sex M
- > I will not be a candidate for any other public office.
- > I am not a treasurer, sub-treasurer, or campaign manager for any candidate or committee.
- > I meet the qualifications for the above mentioned office as set forth in applicable law.
- > I am filing, along with this Certificate of Candidacy, petitions purporting to contain signatures of not less than 1% of the registered voters who are eligible to vote for the office I seek with a minimum of 250 signatures or receipts for such petitions.
- > I understand that final acceptance of this certificate depends upon verification of the information and documents provided by me.
- > The filing fee for the above-mentioned office for which I seek nomination is \$ \_\_\_\_\_ (non-refundable) and is submitted herewith.

<b>Residence Address:</b> <u>396 Blossom Tree Drive</u> <small>Number, Street, Apt.</small> <u>Annapolis, MD 21401</u> <small>City, State and Zip</small>	<b>Mailing Address: (will be made available to the public)</b> <u>P.O. Box 1205H</u> <small>Number, Street, Apt.</small> <u>08 0007 C-ID 222 1111-001 8:20AM</u> <u>Arnold, MD 21012</u> <small>City, State and Zip</small>
<b>Phone (for Election Board to contact you):</b> <u>(410) 349-2165</u>	<b>Phone (for public release):</b> <u>(410) 349-2165</u>
<b>E-Mail Address:</b> <u>weedgross@annapolis.net</u>	<b>Fax:</b> ( )

100.  
\$100.  
100.  
8/ 7/0

I hereby certify under penalties of perjury that the information provided above is true.

8/7/00 Date of this Certificate      David M. Gross Signature of Candidate

Subscribed and sworn before me this 7 day of August 2000

Peggy Wilkerson  
(Notary Public or other person authorized to administer oath)  
**NOTARIZED WITHOUT FEE BY THE ELECTION OFFICE**

**FOR ELECTION BOARD USE ONLY**

THE CANDIDATE IS A REGISTERED VOTER:  YES  NO

The above declaration is correct as to **NAME, ADDRESS, ELECTION DIST, WARD, PRECINCT, PARTY AFFILIATION, SEX, and DATE OF BIRTH:**  YES  NO  
 IF NO, (OUR RECORDS SHOW):

Name David Manning Gross  
 Address 396 Blossom Tree Drive Annapolis Md. 21401  
 Election Dist. or Ward 5 Precinct 18 Party Other than D.O.B 1-28-71 Sex M

The candidate's signed statement authorizes the county board to make changes in records in all categories except party affiliation. Notice of change must be mailed to the voter (Article 33, Section 3-304 (b)).

Records changed, notice sent (date)

Signature of person verifying Election Board section: Nancy Muffel - A.A. Co

## **Interim Constitution and Bylaws of the Maryland Green Party**

Adopted unanimously at the Maryland Green Party Gathering and Assembly August 13, 2000, at Lake Elkhorn Pavilion in Columbia, Maryland, by the individuals designated in the party-forming petition as the initial governing body (the "Committee of 25") and ratified unanimously by the Coordinating Council and by the whole Assembly. Green Party Co-Chair Bob S. Auerbach, who is designated the State chairman of the Green Party in the party-forming petition, convened the meeting and presided as president pro tem of the meeting of the Committee of 25 until party officers were elected.

[Summary history follows the Constitution and Bylaws.]

### **Article 1 Name**

- 1.1 The name of this organization is the Maryland Green Party (hereinafter referred to as "MGP").

### **Article 2 Purpose**

- 2.1 The MGP is an association of Maryland residents, and a statewide confederation of Local Green organizations, working to promote peace, environmental values, social justice, and democracy.
- 2.2 To further these aims, the MGP intends (1) to seek and maintain political party status under Maryland law and to run Green Party candidates for political office; (2) to work in solidarity with groups and individuals sharing the same aims as the MGP; and (3) to assist the development of, and communication and coordination among, Local Green organizations (hereinafter "Locals").
- 2.3 The MGP adopts the following Green Ten Key Values (hereinafter "Green Values"), which are: Ecological Wisdom, Social Justice, Grassroots Democracy, Nonviolence, Decentralization, Community Economics, Respect for Diversity, Feminism, Personal and Global Responsibility, and Future Focus / Sustainability.

### **Article 3 Membership**

- 3.1 **Eligibility for Participation:** The Coordinating Council of MGP, with the advice and consent of delegates from the Locals, is authorized to adopt reasonable eligibility criteria for participation in the decisionmaking processes that relate to electoral activity and the business of the MGP. Any such criteria adopted by the Coordinating Council are subject to rejection, ratification, or amendment at the next following Assembly or Convention of the MGP.
- 3.2 **Guidelines for Membership:** The Coordinating Council shall endeavor to include all persons who seek membership in the MGP, and who, through their deeds and aspirations, further the aims of the MGP. Criteria adopted by the

Coordinating Council may include support for Green Values and the aims of the MGP, or requirements pertaining to official political party affiliation.

- 3.3 Individual Freedom:** Under no circumstances shall the MGP require adherence to any creed or dogma, nor shall the MGP seek to impose any orthodoxy or ideology. In keeping with the Green Values of decentralized decisionmaking, autonomy, protection of minority points of view, and respect for diversity, the MGP is committed to freedom of conscience, intellectual freedom, freedom of expression, and freedom of association. The MGP shall not require the taking of any oath, nor shall it require the recital of any pledge of allegiance or credo, or any public or private profession of loyalty.
- 3.4 Local Autonomy:** Any criteria for participation in the decisionmaking processes of the MGP shall not be construed to infringe upon the right of Locals to open their meetings and processes for purposes not specifically related to electoral activity or the business of the MGP.

#### **Article 4 Locals, Counties, and Regional Confederations**

- 4.1 Locals:** The Local is the basic decisionmaking and organizing entity of the MGP.
- 4.2(a) Organizing New Locals:** The MGP, with the participation of established Locals, shall make efforts to organize Greens unrepresented by any Local, by facilitating communication and coordination of organizing efforts.
- 4.2(b) Application for Recognition as Local:** An organization of members of the MGP shall, upon application to the MGP, be recognized by the MGP and all other Locals as an autonomous Local if that organization (a) has at least three (3) recognized members of the MGP; (b) holds or intends to hold regular meetings that are open to all MGP members and interested persons; and (c) does not represent a region or membership greater than could reasonably attend and voice opinions at those meetings.
- 4.3 Local Charters:** Each Local may, from time to time, draft and ratify a charter, statement of purpose, or bylaws expressing the character and enduring issues of that Local, and how those issues relate to the Green Values and the aims of the MGP.
- 4.4 Duties of Locals:** While having complete autonomy within Article 3 and within Section 4.1 of these Interim Bylaws with regard to its own organization, structure, policies, and decisions, each Local shall keep and maintain complete and accurate membership rolls and shall regularly provide that information to the MGP Membership Committee; shall keep minutes for all meetings; shall from time to time appoint delegates and representatives to MGP committees, conventions, and assemblies; and, for purposes of elections, and in order to

comply with applicable and valid election laws, shall coordinate all election-related activities with the Electoral Committee of the MGP.

- 4.5 Confederations within a County:** For purposes of election law, in counties where two or more Locals exist, these Locals may form a confederation to coordinate electoral activity within that county in consultation with the Electoral Committee of the MGP. It is up to those Locals to determine the structure of the confederations, except that any such structure should not be inconsistent with valid election law.
- 4.6 Other Confederations:** Where bio-regional issues or electoral districts include more than one county, the Locals and / or county confederations that comprise the area should form a confederation to coordinate activities relevant to that issue or electoral district. The formation of any electoral district confederations should involve consultation with the Electoral Committee of the MGP. It is up to those Locals and/or county confederations to determine the structure of such a confederation except that any such structure should not be inconsistent with valid election law.
- 4.7 Designation of County-Level Committees:** For purposes of Maryland election law, in counties where only one Local exists, that Local may be designated the County Central Committee (or whatever county level governing body may be called for by election law). In counties with more than one Local, the governing body of the county confederation described in Section 4.4 may be designated the County Central Committee (or whatever county level governing body may be called for by election law).

## **Article 5 Rules of Order and Process**

- 5.1 Consensus-Seeking; Green Meeting Process Manual.** In all proceedings, assemblies, committees, and other meetings, except where mandated otherwise by these Interim Bylaws or by valid election law, the MGP shall seek to arrive at decisions by consensus. An example of consensus process is outlined in the printed text of the *Maryland Green Meeting Process Manual* (a modified version of the *Meeting and Process Manual Draft 10/11/96* published by the Ohio Greens, based on an earlier version published by the Green Party of Alaska). If consensus cannot be reached after a period of discussion considered reasonable by two-thirds (2/3) of those members present at a meeting, a vote shall be called for. Except where specifically provided otherwise in these Interim Bylaws, the decision of a two-thirds (2/3) majority on substantive issues and a 50%+1 majority on process issues shall prevail.
- 5.2 Voting Methods:** When practical, the selection of MGP candidates, delegates, members of the Coordinating Council, and other officers shall be by proportional or preference balloting.

- 5.3 **Accountability and Dissent:** MGP officers, committee members, and representatives are accountable to the principles and policies established by the membership. However, the MGP affirms the right of its members to public and private dissent. Any member may disagree with and work against MGP policy as long as the member is not acting as a representative or delegate of the MGP or portraying the member's position as MGP policy.
- 5.4 **Consideration of Interests of Absent Persons.** In any decision, the interests of Greens unable to attend a decisionmaking forum shall be considered.

## **Article 6 Assemblies**

- 6.1 **Local Primacy:** Locals are the primary decisionmaking and organizational fora for Greens in Maryland. However, decisions on matters within the scope of the MGP shall be made at meetings of the MGP membership, which are generically referred to as Assemblies.
- 6.2 **Annual Meeting:** The MGP shall hold an MGP Assembly at least once a year, in May or June. Public notice of Assemblies and other meetings, including the notification of all Locals, shall be made at least 45 days in advance of any meeting, with the exception of MGP Meetings called before November 15, 2000, which shall require 14 days notice. All proposed Bylaws changes and major policy proposals shall be made available to all members and distributed to all Locals at least 30 days prior to any MGP Assembly, excepting those called before November 15, 2000, where 14 days shall suffice. Proposed agenda items, Bylaws changes, and policy proposals should be communicated to the current state Co-Chairs 35 days prior to any MGP Assembly, excepting those called before November 15, 2000, where 17 days shall suffice.
- 6.3 **Special Assemblies:** An exception to the notice requirements of Section 6.2 of these Interim Bylaws shall be made for Special MGP Assemblies necessary to gain or maintain political party status or ballot access under Maryland election law. The MGP in such cases will use best efforts to notify all persons as early as possible, and business will be limited to matters relating to gaining or maintaining political party status or ballot access under Maryland election law. All decisions made at these MGP Assemblies shall be subject to review at the next MGP Assembly.
- 6.4 **Emergency Assemblies:** Emergency MGP Assemblies may be called by three (3) Locals or by the petition of 25 members. Requests for such meetings shall be made to the Co-Chairs, who shall instruct the Membership Coordinator to send out notice of the meeting within 10 days, with the meeting to be convened within 70 days of receiving a valid request.

- 6.5 **Dispute Resolution:** The Coordinating Council shall, with the advice and consent of the Locals, draft and apply procedures, consistent with the Rules of Order in Article 5, for dispute resolution at MGP Assemblies. Those procedures shall include processes for immediately examining and resolving disputes, for referring certain credentialing disputes to the otherwise credentialed membership, and for appealing any decisions and evaluating the procedures after the Assembly.

## **Article 7 Coordinating Council**

- 7.1 **Powers and Duties:** The Coordinating Council shall implement the policies established by MGP Assemblies, and shall conduct all MGP business between MGP Assemblies subject to the review of the membership at the next MGP Assembly.
- 7.2 **Composition of Coordinating Council:** The Coordinating Council shall consist of the officers of the MGP and delegates from each of the Locals. Each Local shall be entitled to one delegate, plus an additional delegate for each twenty-five (25) members, as defined in Article 3, who are active in that Local. No person on the Coordinating Council shall have more than one vote.
- 7.3 **Vacancies:** In the event an officer resigns or is otherwise unable to fulfill the duties of office between MGP Assemblies, the Coordinating Council shall have the power to appoint a replacement until the next MGP Assembly, at which time a new officer shall be selected to fill the remaining portion of that term. In the event a delegate from a Local resigns or is otherwise unable to serve on the Coordinating Council, the Local shall appoint a replacement. Until a Local has filled the vacancy of a delegate who has resigned, that Local will not be counted as a recognized Local for purposes of the quorum requirement of Section 7.6.
- 7.4 **Meetings:** The Coordinating Council shall meet at least once a month during the party-forming petition drive, and shall otherwise meet at least four (4) times a year. The Co-Chairs may call an emergency Coordinating Council meeting by giving all Locals and officers 7 days notice.
- 7.5 **Attendance at Meetings:** It is the declared policy of the MGP that regular attendance at meetings of the Coordinating Council by members of the Coordinating Council is vital to the success of the MGP. Two consecutive absences of a delegate or officer, unless such absences are authorized by the person (Co-Chair, Convenor, or Facilitator) presiding at the meeting from which the delegate or officer is absent, shall be construed as a resignation unless the Coordinating Council determines otherwise.
- 7.6 **Quorum:** Provided that there is representation from at least one-half of all recognized Locals, a majority of members of the Coordinating Council shall constitute a quorum for the transaction of business.

- 7.7 Meetings by Telephone and Electronic Meetings:** In urgent situations where a face-to-face meeting is not feasible, meetings of the Coordinating Council may be conducted by telephone or by electronic means. In such cases, persons participating in the discussion by telephone or by electronic means will be deemed present for purposes of the quorum requirements in Section 7.6.
- 7.8 Open Meetings:** Meetings of the Coordinating Council shall generally be open to attendance by all members of the MGP, and shall also generally be open to attendance by the general public. Decisionmaking will be limited to members of the Coordinating Council, unless the Coordinating Council determines, by consensus, to include other persons in attendance. The Coordinating Council may restrict attendance at meetings, and may hold meetings not open to the public, or not open to the general membership, for purposes consistent with the fundamental purposes of the MGP, in situations similar to those in which an "executive session" would be proper under Open Meetings laws applicable to public bodies. In all such cases, the Recording Secretary shall make a notation in the minutes that the meeting was restricted, and shall record the reason for the restrictions.

## **Article 8 Officers**

- 8.1 Officers:** The officers of the MGP shall include: Two Co-Chairs; a Treasurer; a Recording Secretary; and a Membership Coordinator, as provided in this Article.
- 8.2 Co-Chairs:** Two Co-Chairs shall be selected annually at the first MGP Assembly of each year. The Co-Chairs shall share responsibility for facilitating all MGP Assemblies and Coordinating Council meetings. The Co-Chairs shall also be the main public spokespersons for the MGP, or, in consultation with the Press and Publicity Committee, may delegate the task of public spokesperson. The Co-Chairs shall serve for a maximum of two (2) consecutive annual terms, and may not serve again for two (2) years. An exception can be made by a majority vote at the MGP Assembly to waive the term limit for one year for the purpose of maintaining continuity in the Chair listed on the Petition to Form a New Party for the purpose of gaining ballot status. Because the MGP strongly supports diversity and affirmative action, the MGP intends that at least one of the Co-Chair positions should be held by a woman or member of a minority group. In the event neither of the Co-Chairs can attend a meeting, a temporary facilitator can be selected at that meeting to conduct the proceedings of that meeting.
- 8.3 Treasurer:** A Treasurer shall be selected annually at the first MGP Assembly of each year. The Treasurer shall maintain the financial books of the MGP, work with the finance committee to develop a budget, file all necessary election reports and forms to comply with federal and state election laws in a timely manner, maintain all bank and financial accounts for the organization, and make a public accounting of the finances of the organization at each MGP Assembly for the

period since the last MGP Assembly. The Treasurer may serve a maximum of five (5) consecutive terms, and thereafter shall be unable to serve as Treasurer for two (2) years. An exception can be made by a majority vote at an MGP Assembly to waive the term limit for an additional year if no other qualified member can be found willing to serve in this position.

- 8.4 Recording Secretary:** A Recording Secretary shall be selected annually at the first MGP Assembly. The Recording Secretary shall take, publish, and maintain the minutes of all MGP Assemblies and Coordinating Committee meetings. Within 10 days of any meeting, the Recording Secretary shall make the minutes of that meeting available to any member who requests it, and shall send the minutes to the Co-Chairs and all Locals. In the event that the Recording Secretary is unable to attend a meeting, a temporary replacement shall be selected at that meeting to record the minutes of that meeting. The Recording Secretary may serve a maximum of three (3) consecutive annual terms.
- 8.5 Membership Coordinator:** A Membership Coordinator shall be selected annually at the first MGP Assembly. The Membership Coordinator shall maintain the contact information of all members and Locals for the purposes of communicating with members and Locals. The Membership Coordinator shall, with the assistance of the Membership Committee, organize efforts to recruit and retain members. The Membership Coordinator may serve a maximum of three consecutive annual terms.
- 8.6 Incompatible Offices:** No elected official may serve as an officer of the MGP, without express approval by the Coordinating Council.
- 8.7 Rotation: Term Limits:** No person shall serve as an officer of the MGP for more than three (3) consecutive years, with the exception of the Treasurer, who may serve as Treasurer for no more than five (5) consecutive years as provided in Section 8.3, and also with the exceptions provided in Section 8.2 of these Interim Bylaws.

## **Article 9 Standing Committees**

- 9.1** The Maryland Green Party shall have Standing Committees designated in this Article, and may receive reports from such other committees as, from time to time, the Coordinating Council shall create and appoint, subject to Section 9.9. Each Committee shall conduct its business according to Section 5.1. Each committee shall be convened by a person of its own choosing, unless otherwise specified in this Article.
- 9.2 Finance Committee:** The Finance Committee shall include a representative from each Local and the Treasurer, who shall convene the committee. The Finance Committee shall be responsible for helping the Treasurer set and implement financial policies, develop a budget, comply with federal and state

campaign finance and election law, and to help the Treasurer with other matters pertaining to the finances of the organization. The Finance Committee shall meet at least bi-monthly.

- 9.3 (1) **Membership Committee:** The Membership Committee shall include one representative from each Local and the Membership Coordinator, who shall convene the committee. The Membership Committee shall be responsible for assisting the Membership Coordinator in the maintenance of the MGP member contact information, and with organizing and implementing efforts to recruit and retain members, and to orient new members. The Membership Committee shall meet at least quarterly.
- (2) **Outreach Subcommittee of the Membership Committee:** The Membership Committee shall create a subcommittee to work with the Locals to determine ways to reach out to new persons not yet involved with the Greens, with special attention to recruiting person from groups that may be demographically underrepresented in the MGP. The Outreach Subcommittee shall submit monthly reports of its findings, efforts, and progress on recruitment and affirmative action, in accordance with Article 11, to the Coordinating Council .
- 9.4 **Electoral Committee:** The Electoral Committee shall include one representative from each Local, and the Co-Chairs of the MGP. The Electoral Committee shall coordinate MGP electoral activity, including the recruitment of candidates; shall gather, calendar, and process other information about upcoming election contests; shall support MGP electoral campaigns; shall keep the MGP informed of and in compliance with election laws; shall coordinate efforts to gain and maintain ballot status; shall work on increasing Green voter registration when the MGP is eligible; and shall coordinate efforts to change election laws. The Electoral Committee shall meet at least quarterly.
- 9.5 **Bylaws Review and Rules Committee:** The Bylaws Review and Rules Committee shall include at least one representative from each Local and the Co-Chairs. It shall review all process disputes for the purpose of making proposals to amend the Bylaws if deemed necessary. The Committee may draft proposals for amendments to the rules of order for MGP decisionmaking forums as permitted under the Bylaws. The Committee shall also conduct annual Bylaws reviews for the purpose of considering improvements to the Bylaws and making proposals to amend the Bylaws for the purpose of complying with changes in the election laws. The Committee shall review all amendment proposals and develop alternative proposals as it deems necessary, and facilitate the communication of all proposed amendments or alternatives, along with rationales for each proposal, to members of the MGP for consideration in advance of MGP Assemblies.

- 9.6 **Nominating Committee:** The Nominating Committee shall include at least one representative from each Local. The Nominating Committee shall recruit and nominate officers of the MGP, and shall receive nominations from the membership and the Locals.
- 9.7 **Meetings and Assemblies Committee:** The Meetings and Assemblies Committee shall include at least one representative of each Local. The Meetings and Assemblies Committee shall plan and schedule the meetings, gatherings, assemblies, and conventions of the MGP.
- 9.8 **Press and Publicity Committee:** The Press and Publicity Committee shall include at least one representative from each Local that chooses to elect such a representative. The Press and Publicity Committee shall monitor press coverage of the MGP and its Locals; shall arrange for publicity and press coverage of MGP events and candidates, when appropriate; and shall assist the Locals in arranging for publicity and press coverage of Local events and candidates. The Press and Publicity Committee may also be called upon to help the Co-Chairs select appropriate persons to speak publicly on behalf of the MGP.
- 9.9 **Local Representation on Ad Hoc Committees:** Other committees may be organized on an ad hoc basis by creation and appointment by the Coordinating Council, but each Local shall have the right to appoint a representative to each committee, and any MGP officer having duties directly concerning the work of the committee shall also serve on any such committee.

## **Article 10 Elections and Candidates for Public Office**

- 10.1 **Committee of Twenty-Five and other Committees:** The MGP anticipates that its decentralized internal structure will not always coincide with the traditional hierarchical structures evidenced by other political parties and organizations. For purposes of satisfying local, state, or federal law, the MGP may, at its discretion, create committees and/or organizations to meet any necessary legal requirements for ballot access, elections, fundraising, voter registration, etc. These committees and / or organizations will always remain subject to Articles 2, 5, and 6, but may be allowed limited autonomy as specified by the MGP. The Committee of 25 (also sometimes known as the "Committee of 26") is such a committee created to satisfy state law, and, although it has responsibility for the party-forming petition, it has delegated its powers, duties, and routine functions to the Coordinating Council.
- 10.2 **Political Party Status and Ballot Access:** The MGP shall seek to gain and maintain political party status and ballot access under state law. This will include, but is not limited to, running candidates for local, regional, state, and federal offices in order to gain and retain ballot access. Although the MGP Interim Bylaws contain provisions to comply with election laws for these purposes, the MGP expressly reserves the right to adopt measures, and to

- exercise legal action, to challenge ballot access burdens or other election laws the MGP determines to be unduly restrictive or otherwise not in accordance with democratic principles.
- 10.3 **“Green Party” candidates:** The MGP reserves the power, in consultation with the Locals, to withhold the designation “Green” from, and to reject, any candidate the MGP deems inappropriate, wishing to run as, or claiming to be, a Green Party candidate in Maryland.
- 10.4 **Qualifications of Candidates:** Individuals seeking to run as candidates of the MGP must support Green Values, and for all offices other than the President and Vice-President of the United States, must be members of the MGP.
- 10.5 (1) **Statewide Office:** To be considered for candidacy as the Green Party candidate for any statewide office, a person must be nominated by a Local or by at least three MGP members, who shall offer a statement of the candidate’s name, address, and qualifications for the office, to the Electoral Committee. Because of the enormous challenge under current ballot access laws of running statewide candidates for office, and therefore the importance of timely decisions regarding candidates for these offices, the Coordinating Council, subject to review at MGP Assemblies, shall make all decisions concerning the candidacy of statewide candidates for office, upon reports from the Electoral Committee, except that decisions concerning the filling of a vacant nomination and decisions regarding multiple qualified candidates shall be made by Nominating Conference as provided in Section 10.8 through Section 10.10.
- (2) **President and Vice-President:** Candidates for President and Vice-President shall be chosen at a Green Party National Nominating Convention, although the MGP reserves the right not to run the candidates selected at such conventions. The MGP at the MGP Assembly immediately prior to a presidential national nominating convention shall hold a Convention and decide by preference vote the presidential nominee for the purpose of instructing delegates to that national nominating convention how to vote on behalf of the MGP. Delegate allotment shall be determined according to Article 5, Section 2 of these Interim Bylaws.
- 10.6 **Local and Regional Candidates:** Candidates for municipal, county, or district offices shall seek endorsement from the Local or confederation of Locals that comprise the candidate’s district, in accordance with Article 3 and Sections 4.5 and 4.6.
- 10.7 **Nominating Conferences.** The Maryland Green Party shall call special expedited meetings, known as Nominating Conferences, under the circumstances and in the manner provided in Section 10.8 through Section 10.10.

- 10.8 Conference to Fill a Vacant Nomination.** A Nominating Conference to fill a vacant nomination shall be swiftly convened in any of the following circumstances:
- (1) when a person nominated (by petition, by convention, or by other means) to be a Green Party candidate for any public office declines that nomination; or
  - (2) upon rejection of a nominee's candidacy by an Assembly or by the Coordinating Committee pursuant to Section 10.3; or
  - (3) whenever the Coordinating Council determines that a person nominated as a Green Party candidate is otherwise ineligible or unable to stand for election.
- 10.9 Conference When Multiple Persons Qualify for Nomination.** Regarding any election contest in Maryland for which two or more persons eligible to run as Green Party candidates have become qualified for nomination by petition in the same contest, a Nominating Conference shall be swiftly convened to determine which persons shall be designated on the ballot as nominees of the Green Party.
- 10.10 Procedures for Nominating Conference.** The Coordinating Council, in consultation with the Electoral Committee and the Bylaws Review and Rules Committee, is authorized to adopt special operating procedures to apply at Nominating Conferences under any of the circumstances enumerated in Section 10.8 or Section 10.9, in order to expedite a fair and timely decision in the interests of the MGP and in furtherance of Green Values. Unless otherwise specified in such operating procedures, a Nominating Conference shall be convened by the Co-Chairs and shall include the Coordinating Council and the Electoral Committee, and, in the case of candidates for local or district offices, representatives of any Locals or district confederations involved in the nomination. Appropriate potential replacement nominees identified by the Electoral Committee or by any affected Local shall be invited to appear at Nominating Conferences convened under Section 10.8; qualifying candidates shall be invited to appear at Nominating Conferences convened under Section 10.9. To the extent time and resources permit, the Nominating Conference shall seek to learn the views of the Green Party membership, or the views of the membership within the relevant electoral district, concerning the decision facing the Nominating Conference. Among the factors that shall be considered by the Nominating Conference are, without limitation, (1) the extent of support for various candidates shown by Green Party members; (2) consistency of the various candidates' campaigns, especially their campaign finance practices, with MGP rules, policies, or principles; (3) the extent to which various candidates have cooperated with Green Locals and/or with the Electoral Committee; and (4) the likelihood that a given candidacy will enhance the political dialogue and will further the aims of the MGP. Decisions of a Nominating Conference shall be final. However, the proceedings of any Nominating Conference shall be documented, and any adversely affected person shall be encouraged to submit

to the Recording Secretary a simple factual memorandum and a concise evaluation of the process, for transmission to the Bylaws Review and Rules Committee. The Bylaws Review and Rules Committee will review such documentation together with any memoranda and evaluations, in order to monitor and improve Maryland Green Party nominating processes.

#### **Article 11 Affirmative Action**

- 11.1 It shall be the policy of the MGP that the membership of the Maryland Green Party, as well as delegates to the Coordinating Council or to MGP Assemblies, MGP Officers, members of standing committees, candidates, and delegations to Green confederations above the state level, reflect as closely as possible the general population of Maryland with regard to race, gender, and ethnicity. The Outreach Subcommittee shall submit monthly reports detailing and evaluating its outreach and recruitment efforts to implement this policy, as provided in Section 9.3(2).

#### **Article 12 Platform**

- 12.1 The MGP may from time to time adopt a platform reflecting the statement of purpose and Green Values of the MGP as they apply to political, social, and economic conditions in Maryland. The MGP platform may also address political, social, and economic issues outside Maryland.
- 12.2 The MGP Platform may only be adopted or amended by a 2/3 majority of all members present at an MGP Assembly.
- 12.3 The MGP Platform shall be non-binding on the Locals; the MGP encourages Locals to take the initiative on enacting and implementing policy provisions.

#### **Article 13 Maryland State Election Laws and Other Business**

- 13.1 The provisions of Section 13.2 shall apply only to the extent necessary to satisfy Maryland state election law, or otherwise in order to further the aims of the MGP.
- 13.2 For the purpose of Maryland election laws:
- (1) The Coordinating Council established by these Interim Bylaws is deemed to be the "Central Committee," or other State governing body required by state law.
  - (2) These Interim Bylaws are deemed the "Constitution and Bylaws" of the MGP.
  - (3) The Coordinating Council shall designate one Co-Chair as the Chair of the MGP and/or as the Chair of the Committee of 25.

- 13.3 For the purposes of conducting other business, the Coordinating Council is authorized to designate one Co-Chair as the "Chair and President," may designate the other Co-Chair as "Vice-Chair and Vice President" of the MGP, and may designate the Recording Secretary as the "Secretary."
- 13.4 These designations shall in no way alter the powers or duties of these officers pursuant to these Interim Bylaws, nor shall they be construed as making one Co-Chair superior to the other.

#### **Article 14 Adoption of Bylaws and Amendment**

- 14.1 **Ratification:** These Interim Bylaws may be ratified by a 2/3 majority at a State Convention or other meeting called by three or more Green Locals in Maryland.
- 14.2 **Effective Date:** These Interim Bylaws shall take effect at the end of the State Convention or other meeting at which they are ratified.
- 14.3 **Interim Nature of these Bylaws:** It is the intention that these Interim Bylaws will be revisited in their entirety and superseded by more permanent bylaws.
- 14.4 **Who May Propose Amendments:** Amendments to these Interim Bylaws may be proposed by any member or any Local.
- 14.5 **Temporary Amendment Rule:** Until November 15, 2000, or unless these Interim Bylaws are superseded by an entire revised bylaws at an MGP Assembly, the Coordinating Council shall be authorized to amend these Interim Bylaws, other than Articles 2, 5, and 14, by a three-fourths (3/4) majority of the members of the Coordinating Council present at a meeting of the Coordinating Council at which a quorum is present, provided that those amendments are not contrary to Articles 2, 5, or 14, and that the Coordinating Council affirmatively determines that the amendment is vital to carrying out the purpose of the MGP. Any such amendment shall take effect immediately, but shall be subject to review by the members and Locals at the next MGP Assembly.
- 14.6 **General Amendment Rule:** Amendments may also be ratified by a 2/3 majority at any MGP Assembly, and take effect immediately upon adjournment at the Assembly at which they are adopted, unless the amendment specifically provides otherwise.

\* \* \*

### **Summary History of Amendments to Interim Constitution and Bylaws**

**Dates of amendment:** As noted below, certain amendments to the draft text of the Interim Bylaws prepared by the Bylaws Committee and proposed to the Convention in Greenbelt, Maryland, on May 7, 2000 were adopted by that Convention on May 7, 2000 and thereby incorporated into the ratified text. Subsequent amendments to the text as originally ratified on May 7, 2000, were adopted by the Coordinating Council in Annapolis, Maryland, on June 13, 2000, upon an affirmative determination that those amendments were vital to carrying out the purpose of MGP. The text as prepared for adoption by the Committee of 25 on August 13, 2000, in order to conform to state election law, is identical to the text as approved on June 13, 2000, except for the inclusion of two minor typographical corrections (to Section 13.1 and Section 10.10) suggested by the office of the Maryland Attorney General in its review of the Interim Constitution and Bylaws. Both of those corrections are noted below:

- Title:** "Constitution and" inserted between "Interim" and "Bylaws," as authorized under original Section 13.2(2) and as confirmed in June 13, 2000 amendment to Section 13.2(2)
- Section 2.2:** Add left parentheses before subsection numbers (Note: the right parentheses alone in the original text may technically remain the official text, as Article 2 cannot be amended except by an Assembly.)
- Section 2.3:** Final period (".") added (Note: the error in the original text may technically remain the official text, as Article 2 cannot be amended except by an Assembly.)
- Article 4:** Renumber sections and subsections  
(per correction of Bylaws Committee numbering error, passed by Committee of 25 and Assembly May 7, 2000)
- Section 4.2(b):** Bold tagline inserted: "Application for Recognition as Local"
- Section 4.3:** Bold tagline inserted: "Local Charters"
- Section 4.4:** Bold tagline inserted: "Duties of Locals"
- Section 4.4:** Change "Election" to "Electoral"  
(typographical correction adopted by Committee of 25 and Assembly May 7, 2000 as alteration of Bylaws Committee's proposed text)
- Section 4.5:** Change "MDGP" to "MGP"  
(typographical correction adopted by Committee of 25 and Assembly May 7, 2000 as alteration of Bylaws Committee's proposed text)
- Section 4.6:** Change "MDGP" to "MGP"  
(typographical correction adopted by Committee of 25 and Assembly May 7, 2000 as alteration of Bylaws Committee's proposed text)
- Section 4.7:** Change words "Section 4.4" to "Section 4.5"
- Section 5.1:** Change the text proposed by the Bylaws Committee to the Convention: "Except where specifically provided otherwise in these Interim Bylaws, the decision of the majority shall prevail." to "Except where specifically provided otherwise in these Interim Bylaws, the decision of a two-thirds (2/3) majority on substantive issues and a 50%+1 majority on process issues shall prevail."  
(passed by Committee of 25 and Assembly May 7, 2000, as alteration of Bylaws Committee's proposed text)
- Section 5.1:** Delete "and" from title of *Maryland Green Meeting Process Manual*.  
(correction of typographical mistake—Note: the error in the original text, referring to "*Maryland Green Meeting and Process Manual*," remains the official text, as Article 5 cannot be amended except by an Assembly)

**Section 8.7:** Change "move" to "more" (Text approved by Coordinating Council, June 13, 2000)

**Section 9.2:** Substitute "bi-monthly" for monthly (Amendment approved by Coordinating Council, June 13, 2000)

**Section 9.2:** Substitute "shall help" for "to help" (Text approved by Coordinating Council, June 13, 2000)

**Section 9.3:** Add left parentheses before subsection numbers (Text approved by Coordinating Council, June 13, 2000)

**Section 9.3(2):** Substitute "recruiting persons" for "recruiting person" (Text approved by Coordinating Council, June 13, 2000)

**Section 9.3(2):** Delete space before period at end of section (Text approved by Coordinating Council, June 13, 2000)

**Section 9.9:** Correct "Represenation" in bold tagline to "Representation" (Text approved by Coordinating Council, June 13, 2000)

**Section 10.3:** Change "withold" to "withhold" (Text approved by Coordinating Council, June 13, 2000)

**Section 10.5:** Add left parentheses before subsection numbers (Text approved by Coordinating Council, June 13, 2000)

**Section 10.5(1):** Insert ", except that decisions concerning the filling of a vacant nomination and decisions regarding multiple qualified candidates shall be made by Nominating Conference as provided in Section 10.8 through Section 10.10" before period at end of final sentence. (Text approved by Coordinating Council, June 13, 2000)

**Section 10.5(2):** Insert "of the United States" between "Vice-President" and "shall" (Text approved by Coordinating Council, June 13, 2000)

**Section 10.6:** Delete comma after "offices" (Text approved by Coordinating Council, June 13, 2000)

**Section 10.6:** Substitute the words "Sections 4.5 and 4.6" for "Sections 4.4 and 4.5" (Text approved by Coordinating Council, June 13, 2000)

**Section 10.8:** ADD NEW SECTION (Text approved by Coordinating Council, June 13, 2000)

**Section 10.9:** ADD NEW SECTION (Text approved by Coordinating Council, June 13, 2000)

**Section 10.10:** ADD NEW SECTION (Text approved by Coordinating Council, June 13, 2000)

**Section 10.10:** Change "Section 10.8. To the extent" to "Section 10.9. To the extent" [Typgraphical correction suggested by Maryland Assistant Attorney General in Opinion July 2000; correction first included in text adopted by Committee of 25 and Assembly August 13, 2000.]

**Section 11.1:** Insert "the membership of the Maryland Green Party, as well as" between "that" and "delegates" (Text approved by Coordinating Council, June 13, 2000)

**Section 11.1:** Insert "detailing and evaluating its outreach and recruitment efforts to implement this policy" after "reports" (Text approved by Coordinating Council, June 13, 2000)

**Section 12.2:** Change "a MGP" to "an MGP" (Text approved by Coordinating Council, June 13, 2000)

**Section 13.1:** Change of "Sections 13.2" to "Section 13.2" [Typgraphical correction suggested by Maryland Assistant Attorney General in Opinion July 2000; correction first included in text adopted by Committee of 25 at Assembly August 13, 2000.]

**Section 13.2:** Add left parentheses before subsection numbers (Text approved by Coordinating Council, June 13, 2000)

**Section 13.2(1):** Insert "State" between "other" and "governing body" (Text approved by Coordinating Council, June 13, 2000)

**Section 13.2(2):** Substitute the words "Constitution and Bylaws" for the word "Constitution" (Text approved by Coordinating Council, June 13, 2000)

**Section 14.1:** Delete comma and redundant repetition of phrase: ", called by three or more Green Locals in Maryland".—Note: the error in the original text may technically remain the

official text, as Article 14 cannot be amended except by an Assembly.)

**Section 14.5:** Change "a MGP Assembly" to "an MGP Assembly".—Note: the original text technically remains the official text, as Article 14 cannot be amended except by an Assembly.)

**Section 14.5:** Insert comma between "14" and "by".—Note: the error in the original text technically remains the official text, as Article 14 cannot be amended except by an Assembly.)

**Section 14.5:** Insert comma between "present" and "provided".—Note: the error in the original text technically remains the official text, as Article 14 cannot be amended except by an Assembly.)

**The following prefatory note, which is of historical significance, preceded the earlier printed text of the Constitution and Bylaws as adopted May 7, 2000:**

**"Adopted unanimously at the Maryland Green Party Assembly and Convention, May 7, 2000, at the Greenbelt Community Center in Greenbelt, Maryland, by the individuals designated in the party-forming petition as the initial governing body (the "Committee of 25") and ratified unanimously by the whole Assembly. Green Party Co-Chair Bob S. Auerbach, who is designated the State chairman of the Green Party in the party-forming petition, convened the meeting and presided as president pro tem of the Convention until party officers were elected."**

**The following additional historical note preceded the text as submitted in June 2000 to the Maryland State Board of Elections for review by the Maryland Attorney General:**

**"Text as amended June 13, 2000, in Annapolis, Maryland, by the Coordinating Council, pursuant to Section 14.5, upon recommendation of the Bylaws Committee. Summary amendment history follows the Bylaws."**

## **Index to Interim Constitution and Bylaws**

[Prepared by Mark Miller, June 2000. This index is not an official MGP document.]

### **Absence**

- Convenor or presiding person may excuse absence 7.5
- Quorum reduced in case of vacancy caused by consecutive absences 7.3
- Unexcused absence by Coordinating Council member deemed resignation 7.5

### **Absent persons**

- Consideration of interests of 5.4

### **Accountability**

- Officers, committee members, and representatives are accountable to the membership 5.3

### **Affirmative Action Art. 11**

See also *Diversity; Outreach Subcommittee.*

Agreement-seeking—See *Consensus-seeking.*

### **Amendments**

- Any member or Local may propose 14.4
- Effective date of amendments 14.5, 14.6
- General rule for amendment by two-thirds majority at Assembly 14.6
- Temporary method by three-quarters vote of Coordinating Council 14.5

### **Assemblies**

- Annual meeting, 45 days notice (or 14 days if before 11-15-2000) 6.2
- Decisions within scope of MGP to be made at Assemblies 6.1
- Coordinating Council to conduct MGP business between Assemblies 7.1
- Emergency Assemblies
  - Called by three Locals or by petition of 25 members 6.4
- May or June annual meeting 6.2
- Meetings and Assemblies Committee 9.7
- Right to reject, ratify, or amend eligibility criteria adopted by Coordinating Council 3.1
- Special Assemblies, "best efforts" notice 6.3
- Synonymous with "meetings of MGP membership" 6.1

Attendance at meetings—See *Absence.*

### **Autonomy of Locals**

- Basic decisionmaking and organizing entity of MGP 4.1
- MGP criteria for participation in decisionmaking not to infringe 3.4
- Organization, structure, policies, and decisions 4.4
- Platform adopted by MGP not binding on Locals 12.3

See also *Locals.*

### **Ballot Access**

- Burdens on ballot access, MGP right to challenge undue or undemocratic 10.2
- Committees or organizations, MGP may create to meet legal requirements for ballot access 10.1

**Ballot Access—continued**

- Notice requirements, exception for Special MGP Assemblies necessary to gain or maintain political party status or ballot access 6.3
- Political party status and ballot access, MGP shall seek to gain and maintain 10.2
- Running candidates for offices in order to gain and retain ballot access 10.2

**Bank accounts**

- Treasurer to maintain all MGP bank and financial accounts 8.3

**Budget**

- Treasurer and Finance Committee to develop a budget 8.3, 9.2

**Bylaws**

- Adoption of 14.1
- Amendment of—See *Amendments*.
- Effective date upon ratification 14.2
- Effective date of amendments 14.5, 14.6
- Interim nature of 14.3

**Bylaws Review and Rules Committee**

- Annual Bylaws review, duty to conduct 9.5
- Communication of proposed amendments and rationales to MGP members in advance of MGP Assemblies, duty to facilitate 9.5
- Composed of MGP Co-Chairs and at least one representative from each Local 9.5
- Nominating Conferences, consultation with Coordinating Committee and Electoral Committee to adopt special operating procedures for 10.10
- Process disputes, review of 9.5
- Proposals to amend Bylaws 9.5
- Review of Nominating Conference documentation and evaluations 10.10

**Candidates of Maryland Green Party**

- Coordinating Council selection or rejection of candidates 10.3, 10.5(1)
- District offices 10.6
- Electoral Committee to coordinate recruitment of candidates 9.4
- "Green Party" designation—See *Party designation, This heading*.
- Local candidates 10.6
- More than one candidate for same office, selection by Coordinating Council in consultation with Electoral Committee and affected Locals 10.9
- Nominating Conferences in special circumstances 10.8-10.10
- Qualifications 10.4
- Party designation, right of Coordinating Council to withhold from candidates 10.3
- President of the United States 10.5(2)
- Recruitment of candidates, Electoral Committee to coordinate 9.4
- Regional candidates 10.6
- Statewide offices 10.5(1)
- Vacancy in nomination, procedure for filling 10.8, 10.10
- Vice-President of the United States 10.5(2)

**Co-Chairs**

- Assemblies, proposals for agenda items, Bylaws changes, and policies, communication to Co-Chairs and notice 6.2
- Designation of one Co-Chair as "Chair" not construed as conferring superiority 13.4
- Diversity intended 8.2
- Emergency Assemblies, requests or petitions for to be made to Co-Chairs 6.4
- Facilitation of Assemblies and Coordinating Council meetings, responsibility for 8.2
- Officers of MGP to include two Co-Chairs 8.1
- Receive minutes from Recording Secretary within 10 days of meeting 8.4
- Selection of Co-Chairs by Assembly 8.2
- Term limited to two consecutive one-year terms unless rule waived 8.2

**Committees**

- Ad Hoc Committees 9.1
- Bylaws Review and Rules Committee—See *Bylaws Review and Rules Committee*.
- Committee of 25
  - Delegation of powers, duties, and routine functions to Coordinating Council 10.1
  - Party-forming petition, responsible for 10.1
- Coordinating Council—See *Coordinating Council*.
- County Central Committee—See *County Central Committee*.
- Electoral Committee—See *Electoral Committee*.
- Finance Committee—See *Finance Committee*.
- Meetings and Assemblies Committee—See *Meetings and Assemblies Committee*.
- Nominating Committee 9.6
- Press and Publicity Committee—See *Press and Publicity Committee*.
- Standing Committees Art. 9

**Community Economics**

- Green Values include 2.3

**Consensus-Seeking 5.1**

**County Central Committee**

- Designation of 4.7

**Conventions**

- Bylaws ratification at Convention or other meeting called by three Locals 14.1
- Meetings and Assemblies Committee, duty to plan and schedule 9.7

See also *Green Party National Nominating Conventions*.

**Coordinating Council**

- All business of MGP to be conducted by, between Assemblies 7.1
- Composed of officers of MGP and delegates from each Local 7.2
- Committees, creation and appointment of 9.1
- Dispute resolution at Assemblies, Coordinating Council to draft and apply procedures consistent with Art. 5, with advice and consent of Locals 6.5
- Eligibility criteria for participation in decisionmaking Art. 3
- Emergency meeting called by Co-Chairs with 7 days notice to Locals and officers 7.4
- Implementation of policies established by Assemblies 7.1
- Meetings to be held monthly during petition drive; four per year otherwise 7.4

**Coordinating Council—continued**

- Membership criteria may be adopted by Coordinating Council, with advice and consent of delegates from Locals **Art. 3**
- Monthly meetings during party-forming petition drive; four per year otherwise **7.4**
- Open meetings **7.8**
- Powers, duties, and routine functions of Committee of 25 delegated to **10.1**
- Selection of officers of MGP **8.2-8.5**
- State governing body of MGP **13.2(1)**
- Vacancies
  - Coordinating Council to appoint replacement officer **7.3**
  - Local to appoint replacement delegate to Coordinating Council **7.3**

**County-Level Committees**

- Designation of **4.7**

Criteria for membership—See *Membership*.

**Decentralization**

- Green Values include **2.3**

**Democracy**

- Purpose of MGP to promote **2.1**

See also *Grassroots Democracy*.

**Dispute resolution at Assemblies**

- Coordinating Council, with Locals, to draft and apply procedures for **6.5**

**Dissent 5.3**

See also *Freedom of Conscience*.

**District offices—See *Candidates*.**

**Diversity**

- Co-Chair officers to reflect diversity **8.2**
- Green Values include Respect for Diversity **2.3**

See also *Affirmative Action; Outreach Subcommittee*.

**Ecological Wisdom**

- Green Values include **2.3**

**Election Law—See *Ballot Access; Political Party Status*.**

**Electoral Committee**

- Ballot status, coordination of efforts to gain and maintain **9.4**
- Calendar of upcoming elections **9.4**
- Campaigns, support **9.4**
- Candidate recruitment **9.4**
- Change election laws, coordination of efforts to **9.4**
- Co-Chairs to serve on Committee **9.4**
- District confederation, consultation with Electoral Committee **4.6**
- Election activity, duty to coordinate **9.4**

**Electoral Committee—See *Electoral Committee*.**

Election contest information, duty to gather and process	9.4
Intracounty confederation, consultation with Electoral Committee	4.5
Laws, election	
Coordination of efforts to change	9.4
Keep MGP informed and in compliance, duty to	9.4
Locals to have one representative	9.4
Meetings to be held at least quarterly	9.4
Nominating Conferences, role of Electoral Committee	10.8-10.10
Statewide office, reports to Coordinating Council on candidacy	10.5(1)

**Electronic Means**

Meetings of Coordinating Council by	7.7
-------------------------------------	-----

**E-mail meetings—See *Electronic Means*.**

**Environmental Values**

Purpose of MGP to promote	2.1
---------------------------	-----

See also *Ecological Wisdom*.

**Feminism**

Green Values include	2.3
----------------------	-----

**Finance Committee of the MGP**

Bimonthly meetings	9.2
Budget, develop with Treasurer	8.3, 9.2
File election reports, work with Treasurer to	8.3, 9.2
Maintain financial books of the MGP, work with Treasurer to	8.3, 9.2

**Flyers—See *Press and Publicity Committee*.**

**Freedom of conscience and expression 3.3, 5.3**

**Future Focus/Sustainability**

Green Values include	2.3
----------------------	-----

**Gatherings**

Membership and Assemblies Committee to plan and schedule	9.7
--	-----

**Grassroots Democracy**

Green Values include	2.3
----------------------	-----

**“Green” Ballot Designation**

**Green Party National Nominating Convention**

Maryland Green Party Convention to be held at Assembly	10.5(2)
Selection of Presidential and Vice-Presidential candidates	10.5(2)

**Green Values**

Adopted by MGP	2.3
----------------	-----

**Individual freedom 3.3**

**Intellectual freedom 3.3**

**Locals**

Ad Hoc Committee, right of Local to appoint representative to 9.9  
Amendment of Bylaws, any Local or any member may propose 14.4  
Autonomy of Locals complete 4.4  
Autonomy of Locals to open their meetings and processes 3.4  
Basic organizing and decisionmaking entity of MGP is the Local 4.1  
Charter or bylaws, Locals may draft and ratify 4.3  
Confederations  
    Bioregional issues or election districts, to coordinate 4.6  
Coordination among Locals, MGP to assist 2.2  
Delegates from Locals,  
    Advice and consent regarding eligibility criteria adopted by Coordinating  
    Council for membership (participation in decisionmaking) 3.1  
    Appointment of delegates and representatives to MGP committees,  
    conventions, and assemblies 4.4  
    Each Local is entitled to one delegate to Coordinating Council, plus an  
    additional delegate for each twenty-five (25) members 7.2  
Development of Locals, MGP to assist 2.2  
Duties of Locals 4.4  
Electoral Committee of MGP  
    Duty of Locals to coordinate electoral activity with 4.4  
    Representative from each Local 9.4  
Electoral district, consultation with MGP Electoral Committee 4.6  
Meetings and Assemblies Committee of MGP to include representative  
    from each Local 9.7  
MGP as a confederation of Locals 2.1  
    County, confederations of Locals within, to coordinate electoral activity in  
    consultation with MGP Electoral Committee 4.5  
Membership rolls, duty of each Local to maintain 4.4  
MGP Platform non-binding on Locals 12.3  
Minutes of its meetings, duty of each Local to keep 4.4  
New Locals 4.2  
Nominating Committee of MGP to include representative from each Local 9.6  
Organizing Greens unrepresented by Locals 4.2(a)  
Platform adopted by MGP not binding on Locals 12.3  
Press and Publicity Committee of MGP to include representative  
    from each Local that chooses to elect 9.8  
Primacy of Locals 6.1  
Recognition of new Locals 4.2(b)  
Synonymous with "Local Green organizations" 2.2

**Loyalty oath**

MGP shall not require the taking of any oath 3.3

**Maryland election law Art. 13**

Challenges to undemocratic election laws, reservation of right 10.2

**Meetings**

Assemblies **Art. 6**

See also *Assemblies*.

Coordinating Council **7.4-7.8**

See also *Coordinating Council*.

Meetings and Assemblies Committee to plan and schedule meetings **9.7**

**Meetings and Assemblies Committee 9.7**

Assemblies, duty to plan and schedule **9.7**

Conventions, duty to plan and schedule **9.7**

Gatherings, duty to plan and schedule **9.7**

Locals to have at least one representative **9.7**

Meetings, duty to plan and schedule **9.7**

Plan and schedule meetings og MGP **9.7**

**Membership Art. 3**

Coordinating Council authorized to adopt reasonable eligibility criteria for participation in decisionmaking **3.1**

Guidelines for membership criteria, inclusive aim **3.2**

Local, applicant Local must have at least three recognized MGP members **4.2(b)**

Membership Committee of the MGP—See *Membership Committee of the MGP*.

Membership Coordinator—See *Membership Coordinator*.

Outreach Subcommittee **9.3(2)**

Roster of members, Locals to maintain and share contact information with Membership Coordinator and Membership Committee of MGP **4.4, 8.5, 9.3**

**Membership Committee of the MGP**

Contact information, duty to help Membership Coordinator maintain **9.3(1)**

Outreach Subcommittee—See *Outreach Subcommittee*.

Recruit and maintain members, and orient new members; responsibility to organize and implement efforts to **9.3(1)**

Representative from each Local **9.3(1)**

Quarterly meetings **9.3(1)**

**Membership Coordinator**

Assisted by Membership Committee **9.3(1)**

Communication with members and Locals **8.5**

Contact information, duty to maintain **8.5**

Convenor of Membership Committee **9.3(1)**

Coordinating Council, member of as officer of MGP **7.2**

Officer of MGP **8.1**

Recruitment and retention of members, duty to organize efforts **8.5**

Selection of, at MGP Assembly **8.5**

Term limited to three consecutive annual terms **8.5**

Minutes—See *Recording Secretary*.

**Name Art. 1**

**Nominations**

Candidates for public office—See *Candidates*.  
Officers of MGP 9.6

**Nominating Committee**

Recruitment and nomination of officers of MGP 9.6

**Nominating Conference 10.8-10.10**

Multiple candidates eligible for "Green" designation in same contest 10.9  
Procedures 10.10  
Vacancy in nomination for public office 10.8, 10.10

**Nonviolence**

Green Values include 2.3

**Officers— Art. 8**

See also *Co-Chairs; Membership Coordinator; Recording Secretary; Treasurer*.

**Open meetings 7.8**

See also *Meetings*.

**Outreach Subcommittee 9.3(2)**

Monthly reports to Coordinating Council, duty to submit 9.3(2)  
Recruitment of underrepresented 9.3(2)  
Subcommittee to be created by Membership Committee 9.3(2)

**Party Label—See "Green" Ballot Designation.**

**Peace**

Purpose of MGP to promote 2.1

**Personal and Global Responsibility**

Green Values include 2.3

**Petition, Party-Forming**

Committee of 25 responsible for 10.1

**Platform**

Locals 12.3  
MGP may adopt 12.1  
Two-thirds majority for adoption or amendment 12.2

**Political Party Status**

Electoral Committee role 9.4  
MGP intends to seek and maintain 2.2, 10.2  
Special Assemblies to gain or maintain, "best efforts" notice 6.3

**President and Vice-President of the United States**

Candidates selected at Green Party National Nominating Convention 10.5(2)

**Preference voting—See *Voting*.**

**Press and Publicity Committee 9.8**

- Locals, at least one representative from each 9.8
- Monitoring press coverage of MGP and Locals 9.8
- Publicity and press coverage, duty to arrange for 9.8
- Spokespersons, Committee may help Co-Chairs select 9.8

**Process**

- Meeting process Art. 5

**Publications—See *Press and Publicity Committee*.**

**Purpose Art. 2**

**Qualifications**

- Candidates of Maryland Green Party 10.4

**Quorum**

- Coordinating Council, presence of majority of members, provided that half of recognized Locals are represented 7.6

**Ratification of Constitution and Bylaws 14.1**

**Recording Secretary**

- Coordinating Council, member of 7.2
- Evaluation memorandum regarding Nominating Conference, Recording Secretary to receive and transmit to Bylaws Review and Rules Committee 10.10
- Minutes of Assemblies and Coordinating Council meetings
  - Distribution to Co-Chairs and Locals within 10 days of meeting 8.4
  - Executive session exception to open meeting to noted by 7.9
  - Maintaining and publishing minutes 8.4
  - Member request, making minutes available upon 8.4
  - Taking of minutes 8.4
- Officer of MGP 8.1
- Replacement if Recording Secretary is unable to attend meeting 8.4
- Responsibilities 8.4
- Secretary, Coordinating Council may designate Recording Secretary as 13.3
- Selection of Recording Secretary by Assembly 8.4
- Term limited to three consecutive one-year terms 8.4

**Respect for Diversity—See *Diversity*.**

**Rotation—See *Term Limits*.**

<b>Rules of Order</b>	<b>Art. 5</b>	
Agreement-seeking emphasis		<b>5.1</b>
Dissent and accountability	<b>5.3</b>	
Reference to <i>Green Meeting Process Manual</i> as example		<b>5.1</b>
Voting		
Selection where practical to be by proportional or preference ballot		<b>5.2</b>
Recourse to voting only after impasse on consensus		<b>5.1</b>
<b>Social Justice</b>		
Green Values include	<b>2.3</b>	
Purpose of MGP to promote		<b>2.1</b>
<b>Spokespersons</b>		
Co-Chairs to serve as	<b>8.2</b>	
Press and Publicity Committee may help Co-Chairs select persons authorized to speak on behalf of MGP		<b>9.8</b>
<b>State governing body</b>		
Coordinating Council deemed		<b>13.2(1)</b>
<b>Sustainability—See <i>Future Focus / Sustainability</i>.</b>		
<b>Telephone</b>		
Meetings of Coordinating Council by telephone		<b>7.7</b>
<b>Ten Key Values—See <i>Green Values</i>.</b>		
<b>Term Limits</b>		
Co-Chairs may serve two consecutive annual terms		<b>8.2</b>
Officers of MGP	<b>8.7</b>	
Recording Secretary may serve three consecutive annual terms		<b>8.4</b>
Treasurer may serve five consecutive annual terms		<b>8.3</b>
<b>Treasurer</b>		
Bank and financial accounts, work with Finance Committee to maintain		<b>8.3</b>
Budget, develop with Finance Committee	<b>8.3, 9.2</b>	
Convenor of Finance Committee	<b>9.2</b>	
File election campaign reports, work with Finance Committee to		<b>8.3, 9.2</b>
Maintain financial books of the MGP, duty to	<b>8.3, 9.2</b>	
Officer of MGP	<b>8.1</b>	
Public accounting of the finances at each MGP Assembly	<b>8.3, 9.2</b>	
Receive minutes from Recording Secretary within 10 days of meeting		<b>8.4</b>
Responsibilities	<b>8.3; 9.2</b>	
Selection of Treasurer by Assembly	<b>8.3</b>	
Term limited to five consecutive one-year terms unless rule waived		<b>8.3, 8.7</b>

**Vacancies**

Coordinating Council to appoint replacement for officer unable to fulfill duties 7.3

Local to appoint replacement for delegate to Coordinating Council 7.3

Nominations by petition or by Convention for public office, Coordinating Council to appoint replacement Green candidate where nominee declines or is otherwise unable to run 10.8, 10.10

**Voter registration**

Electoral Committee to work for Green registration when MGP is eligible 9.4

**Voting**

Last resort after agreement-seeking unsuccessful 5.1

Preference voting for presidential nominee at MGP Convention 10.5(2)

Proportional or preference balloting when practical 5.2